

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JULY 12, 2000**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Judith W. Downer, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Linda Q. Smyth, Providence District

ABSENT: Laurie Frost Wilson, Commissioner At-Large

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The meeting was called to order at 8:28 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Alcorn noted that the Residential Development and Infill Committee had met tonight to review the schedule for moving forward with the study, and said it would meet again on July 26, 2000 at 7:30 p.m. in the Board Conference Room. He encouraged anyone with an interest in this matter to attend. He added that staff recommendations and input from community meetings would be available at that time.

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Commissioner Koch said that he had a pending "feature shown" application, FS-Y00-44, XM Satellite Radio, but had been unable to get in touch with the applicant. He noted that it had a deadline of July 29, 2000, but that it would not be approved unless he heard from the applicant before that time.

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Commissioner Palatiello MOVED THAT THE MINUTES OF THE CAPITAL IMPROVEMENT PROGRAM MEETING HELD ON MARCH 22, 2000, BE APPROVED BY MEMBERS OF THE COMMITTEE.

Commissioner Kelso seconded the motion which carried unanimously.

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Commissioner Palatiello noted that the Policy and Procedures Committee would meet on July 13, 2000 at 7:00 p.m. in the Board Conference Room.

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Commissioner Moon called the Commission's attention to a memorandum distributed tonight from Ms. Jane Gwinn, Zoning Administrator, concerning the proposed Noise Barrier Zoning Ordinance Amendment, which was scheduled for a decision on Thursday, July 13, 2000.

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Commissioner Downer MOVED THAT THE PLANNING COMMISSION FURTHER DEFER THE DECISION ONLY ON 2232-D00-6, AT&T, TO A DATE CERTAIN OF SEPTEMBER 28, 2000, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Wilson absent from the meeting.

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Commissioner Palatiello noted that architectural elevations, landscape plans and a site plan for Plaza America, Phase III, had been distributed and said that he would make a recommendation on this matter on Thursday, July 13, 2000.

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Chairman Murphy paid tribute to Mr. Stephen Kerr, who would be leaving the Department of Planning and Zoning to accept a position as the Executive Director of the Lord Fairfax Planning District Commission in Front Royal. He thanked Mr. Kerr for his many years of outstanding work and said he would be sorely missed.

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Chairman Murphy reminded Commissioners that Mr. Robert Stalzer, the new Deputy County Executive for Planning and Development, would be present at the Planning Commission meeting on Thursday, July 13, 2000.

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FS-V00-41 - XM SATELLITE RADIO, 10112 Furnace Road

Commissioner Byers MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION OF THE DIRECTOR OF PLANNING AND ZONING THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY XM SATELLITE RADIO FOR THE EXISTING TOWER LOCATED AT 10112 FURNACE ROAD IN LORTON, IS IN

CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE CODE OF VIRGINIA.

Commissioner Kelso seconded the motion which carried unanimously with Commissioner Wilson absent from the meeting.

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FS-V00-67 - SPRINT PCS, 8906 OX ROAD

Commissioner Byers MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION OF THE DIRECTOR OF PLANNING AND ZONING THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY SPRINT PCS, WITH THE EXISTING VIRGINIA POWER TOWER, LOCATED AT 8906 OX ROAD, IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE CODE OF VIRGINIA.

Commissioner Kelso seconded the motion which carried unanimously with Commissioner Wilson absent from the meeting.

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FS-H00-35 - METRICOM, 11710 Plaza America Drive

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY METRICOM, INC., AS AMENDED BY THE MEMORANDUM AND SCHEMATICS DATED JULY 10, 2000, FOR THE OFFICE BUILDING LOCATED AT 11710 PLAZA AMERICA DRIVE, IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE CODE OF VIRGINIA.

Commissioner Kelso seconded the motion which carried unanimously with Commissioner Wilson absent from the meeting.

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SEA-89-C-027-8 - BRE/VCD ASSOCIATES, L.L.C. (Decision Only)

(The public hearing on this application was held on June 14, 2000. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-C-027-8, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioners Kelso, Alcorn and Byers seconded the motion which carried by a vote of 8-0-2 with Commissioners Murphy and Smyth abstaining; Commissioner Harsel not present for the vote; Commissioner Wilson absent from the meeting.

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2232-D00-14 - BELL ATLANTIC MOBILE, INC. (Decision Only)
(The public hearing on this application was held on May 4, 2000. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Downer MOVED THAT THE PLANNING COMMISSION DETERMINE IN ACCORDANCE WITH SECTION 15.2-2232 OF THE CODE OF VIRGINIA, AS AMENDED, THAT THE TELECOMMUNICATIONS FACILITY ESTABLISHED BY BELL ATLANTIC MOBILE, INC., OR VERIZON, AT THE I-495/GEORGE WASHINGTON MEMORIAL PARKWAY EXIT IN MCLEAN, BE FOUND SUBSTANTIALLY IN ACCORD WITH PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Wilson absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda items:

1. SE-00-Y-011 - RAINBOW DAY CARE, INC.
2. RZ-2000-SU-009 - MSW, INC.
3. SPA-81-A-022-6 - CALVARY MEMORIAL PARK, INC., T/A FAIRFAX MEMORIAL PARK AND FAIRFAX MEMORIAL FUNERAL HOME, L.L.C.

This order was accepted without objection.

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SE-00-Y-011 - RAINBOW DAY CARE, INC. - Appl. under Sects. 3- 104 & 6-105 of the Zoning Ord. to permit a child care center w/an enrollment of 100 or more students daily on property located at 14311 Braddock Rd. on approx. 6.17 ac. zoned R-1, PDH-12 & WS. Tax Map 54-1((1))18 & 26B. SULLY DISTRICT. PUBLIC HEARING.

Mr. Jimmy Jackson, on behalf of the applicant, reaffirmed the affidavit dated September 23, 1999. There were no disclosures by Commission members.

Ms. Jacqueline Blue, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. Jackson, noting that there was a need for professional and problem-free child care in the County, stated that Rainbow Daycare, Inc. operated such a center. He said the center was clean inside and out, community conscious and the landscape was always well-manicured. He explained that the new addition would provide a much needed service to the community and would be harmonious with the surrounding neighborhoods.

In response to a question from Commissioner Koch, Mr. Jackson confirmed that the western entrance would be closed and there would be only one entrance to the site which would serve all three buildings, as recommended by the Department of Transportation.

In response to a question from Commissioner Smyth, Mr. Jackson said that there would be a total of 63 parking spaces, 40 new spaces and 23 existing spaces.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and no closing staff remarks, therefore Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this application.

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT SE-00-Y-011 BE APPROVED, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JULY 11, 2000.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioner Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT ALONG THE WESTERN BOUNDARY OF THE PROPERTY TO THAT DEPICTED ON THE SE PLAT IN ACCORDANCE WITH PARAGRAPH 3 OF SECTION 13-304 OF THE ZONING ORDINANCE.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioner Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE TRANSITIONAL SCREENING YARD REQUIREMENTS ALONG THE SOUTHERN PROPERTY BOUNDARY, IN ACCORDANCE WITH PARAGRAPH 4 OF SECTION 13-304 OF THE ZONING ORDINANCE.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioner Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE BARRIER

REQUIREMENT ALONG THE NORTHERN PROPERTY BOUNDARY, IN ACCORDANCE WITH PARAGRAPH 3, SECTION 13-304 OF THE ZONING ORDINANCE.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioner Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF THE TRANSITIONAL SCREENING AND A WAIVER OF THE BARRIER REQUIREMENT ALONG THE EASTERN PROPERTY BOUNDARY, IN ACCORDANCE WITH PARAGRAPH 7 OF SECTION 13-304 OF THE ZONING ORDINANCE.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioner Wilson absent from the meeting.

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RZ-2000-SU-009 - MSW, INC. - Appl. to rezone from R-1 & WS to R-8 & WS to permit residential development at a density of 5.95 du/ac on property located in the N.E. quadrant of the intersection of Lee Hwy. & Dixie Hill Rd. on approx. 2.69 ac. Comp. Plan Rec: Fairfax Center Area: Res. 1-6 du/ac, mixed use at .35 FAR at Overlay Level. Tax Map 56-1((1))38 & 38A. SULLY DISTRICT. PUBLIC HEARING.

Timothy Sampson, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, P.C., reaffirmed the affidavit dated June 29, 2000. There were no disclosures by Commission members.

Ms. Susan Johnson, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

In response to a question from Commissioner Koch, Ms. Johnson said that All States Motel had existed on the subject property since 1949 and was not in great shape. Responding to another question from Commissioner Koch, Ms. Johnson explained that although the Comprehensive Plan recommended a density of up to six units per acre, there was not an R-6 district.

At Commissioner Koch's request, Ms. Angela Rodeheaver, Department of Transportation (DOT), explained that Lee Highway was a primary highway and any access along its frontage would not have a median break at Dixie Hill Road. She said that there were existing right and left turn lanes to access the site from Dixie Hill Road. She added that the DOT and the Virginia Department of Transportation (VDOT) did not support access along the Lee Highway frontage.

Mr. Sampson stated that the applicant's proposal to rezone approximately 2.69 acres from the R-1 to the R-8 District and to construct 16 townhomes at a density of 5.95 dwelling units per acre, was consistent with the recommendations of the Comprehensive Plan. He said that the proposed development would be served by a single access point from Dixie Hill Road. He explained that Lee Highway was a principal arterial highway, ultimately planned for expansion to six lanes, and was not appropriate as a means of providing direct access to the community. He described pedestrian connections, sidewalk location, fencing, proposed landscaping and buffering. He said the 24 foot wide townhomes would have two car garages which would be used for vehicle parking only. Mr. Sampson noted that monetary contributions would be made to the Fairfax Center Area Road Fund and the Fairfax County Housing Trust Fund. In summary, he said that the proposed development presented an opportunity to complete an established land development pattern of residential uses in the area and would eliminate the All States Motel, which was a grandfathered non-conforming commercial use. He requested a recommendation of approval.

In response to a question from Commissioner Hall, Ms. Johnson said that although the applicant had not proffered to make a contribution for recreational facilities, they were able to meet the Fairfax Center guidelines by providing other amenities.

Chairman Murphy called the first listed speaker and recited rules for testimony before the Commission.

Mr. Kevin McDonald, 4613 Dixie Hill Road, Fairfax, representing the Dix-Cen-Gato Civic Association, said the Association would support the application if three conditions were met: (1) access from Lee Highway; (2) an increase in the buffer area from 40 to 50 feet; (3) replacement of the board-on-board fence with a brick and wrought iron one.

Commissioner Koch commented that the motel was an eyesore and that 43 percent of the property would be left as open space. He explained that he did not believe locating the entrance on Dixie Hill Road would increase traffic in Mr. McDonald's neighborhood, but nevertheless OT and VDOT would not allow it. He said the property owner had a right to develop his property and noted that not all of the surrounding property owners were opposed to the application.

Ms. Jill Pawlak, 12108 Ruffin Drive, Fairfax, said she agreed with Mr. McDonald's position. She expressed opposition to access on Dixie Hill Road, citing unsafe conditions and said the proposed development should be accessed from Lee Highway. She said an Out-of-Turn Plan Amendment would be heard in the fall requesting that the overlay plan be removed and density be reduced to four dwelling units per acre for this area.

In response to a question from Chairman Murphy, Ms. Rodeheaver said the rationale for having access to the site on Dixie Hill Road was due to an existing median break where turn lanes could be accommodated. She explained that if access was along the Lee Highway frontage, u-turns would be necessary.

Ms. Johnson and Ms. Rodeheaver responded to questions from Commissioner Hall about the proposed buffering and ingress/egress to the site. Ms. Rodeheaver responded to questions from Commissioner Smyth about the possibility of installing a traffic signal at the entrance to the site.

Mr. Dennis Overby, 4601 Dixie Hill Road, Fairfax, expressed concern about the proposed density and said putting the entrance to the site on Dixie Hill Road was unacceptable to him.

Ms. Joanne Sullivan read a letter on behalf of Ms. Ann Burdell, 4539 Quality Street, Fairfax, in which she expressed opposition to the proposed development and said it would detract from the quality and value of the existing neighborhood.

Ms. Laura Zelenack, 4620 Dixie Hill Road, Fairfax, expressed concern about an entrance on Dixie Hill Road, citing unsafe conditions.

Ms. Samira West, 4612 Dixie Hill Road, Fairfax, expressed opposition to access from Dixie Hill Road.

Mr. Gregory Oliver, 4604 Dixie Hill Road, said he agreed with the remarks of Mr. McDonald and Ms. Pawlak and requested that a reevaluation be done concerning access. He asked where oversized vehicles would be parked.

There being no further speakers, Chairman Murphy called upon Mr. Sampson for a rebuttal statement.

Mr. Sampson said that the proposed development was compatible with the surrounding development of PDH-4 and PDH-8. He said he understood that a recommendation of six units per acre had been adopted by the Board of Supervisors in 1998 and supported by the Dix-Cen-Gato Civic Association. He said since that time an Out-of-Turn Plan Amendment had been authorized which would downplan the overlay level for this area, but that it would not affect the subject property. He noted that access was not recommended from Lee Highway because u-turns would have to be made to access the property and added that the application provided for the improvement of Dixie Hill Road. He explained that although a 25 foot buffer was required, the applicant would provide a 40 foot buffer.

In response to a question from Commissioner Byers, Mr. Sampson said that in view of a significant number of proffered contributions, the applicant had chosen not to make a contribution for recreational facilities.

Commissioner Koch asked if the applicant would be willing to contribute \$500.00 per unit for recreational facilities. Mr. Sampson, on behalf of the applicant, replied affirmatively.

Mr. Sampson and Mr. Bruce Douglas, Planning Division, DPZ, responded to questions from Commissioner Byers about the impact of highway noise on the proposed development.

Ms. Johnson responded to questions from Commissioner Palatiello about the required buffer area and the impact of the pending Out-of-Turn Plan Amendment on the subject property.

Ms. Rodeheaver responded to questions from Commissioner Alcorn about the possibility of access to the proposed development from a service drive.

Commissioner Hall suggested that the maintenance of the fence be addressed in a proffer.

There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this application.

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2000-SU-009, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED JUNE 27, 2000, AS AMENDED VERBALLY BY THE APPLICANT.

Commissioner Byers seconded the motion which carried by a vote of 9-0-2 with Commissioners Alcorn and Smyth abstaining; Commissioner Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE MINIMUM DISTRICT SIZE.

Commissioner Byers seconded the motion which carried by a vote of 9-0-2 with Commissioners Alcorn and Smyth abstaining; Commissioner Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE WAIVER OF THE REQUIREMENT OF CONSTRUCTION OF A SERVICE DRIVE ALONG (ROUTE) 29 IN FAVOR OF AN ESCROW IN FUNDS EQUAL TO THE COST OF CONSTRUCTION.

Commissioner Byers seconded the motion which carried by a vote of 9-0-2 with Commissioners Alcorn and Smyth abstaining; Commissioner Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE BARRIER REQUIREMENT ALONG THE WEST AND SOUTH BOUNDARY LINES.

Commissioner Byers seconded the motion which carried by a vote of 8-0-3 with Commissioners Alcorn, Harsel and Smyth abstaining; Commissioner Wilson absent from the meeting.

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SPA-81-A-022-6 - CALVARY MEMORIAL PARK, INC., T/A
FAIRFAX MEMORIAL PARK AND FAIRFAX MEMORIAL
FUNERAL HOME, L.L.C. - Appl. under Sect. 3-103 of the Zoning
Ord. to amend SP-81-A-022 previously approved for a cemetery,
mausoleum & a columbarium to permit the addition of a funeral
home & crematory on property located at 9900 Braddock Rd. on
approx. 128.14 ac. zoned R-1. Tax Map 69-1((1))1 & 12.
BRADDOCK DISTRICT. PUBLIC HEARING.

Grayson Hanes, Esquire, with Reed, Smith, Hazel and Thomas, L.L.P., reaffirmed the affidavit dated June 9, 2000. There were no disclosures by Commission members.

Ms. Phyllis Wilson, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Ms. Angela Rodeheaver, Office of Transportation (OT), responded to questions from Commissioner Harsel about Development Condition Number 20 concerning dedication of right-of-way.

In response to a question from Commissioner Harsel, Mr. Michael Congleton, Zoning Administration Division, DPZ, said that the Comprehensive Plan map showed the cemetery property as being an institutional use.

At Commissioner Harsel's request, Ms. Wilson read the Zoning Ordinance pertaining to funeral uses.

Mr. Hanes presented a brief history of the subject property, consisting of 128 acres, and said it had been operated continuously as a cemetery since 1956 with a number of special permits granted by the Board of Zoning Appeals (BZA). He said at this time the applicant desired to add a funeral home with a chapel and a crematory and noted that the application would be heard by the BZA in two weeks. He pointed out that the Comprehensive Plan recommended institutional uses, public facilities or governmental uses for the property.

Commissioner Byers expressed concern about a commercial use in a residential area. Commissioner Palatiello pointed out that nursing homes and daycare centers were considered institutional uses and were permitted in certain residential areas by special exception.

In response to a question from Commissioner Moon, Mr. Hanes said there had been approximately 550 interments in each of the past two years.

Mr. Hanes introduced Mr. Paul Barkley, Project Architect, who continued the applicant's presentation.

Mr. Barkley described the layout of the property, design of the proposed building, vehicular access, parking, setbacks, and proposed and existing landscaping. He then responded to questions from Commissioner Harsel about the limits of clearing and grading, the stormwater detention pond and location of the crematory.

Mr. Stephen Talley, with Industrial Equipment and Engineering Company, Orlando, Florida, the manufacturer of cremation systems, explained the cremation process and said that it had a minimal impact on the environment. He noted that crematories were a vital part of funeral services.

In response to a question from Commissioner Alcorn, Mr. Talley said that an air quality permit was required for crematories by the Department of Environmental Quality.

Chairman Murphy called the first listed speaker.

Mr. Steven Rosenthal, 9708 Ceralene Drive, Fairfax, expressed opposition to the subject development because he said it did not belong in a residential area. He also objected to the proposed crematory.

Mr. Robert Cosgriff, 10003 Cotton Farm Road, Fairfax, President of the Hickory Farms Community Association, said the Association was opposed to the development because it was a business operation and not a suitable use for the surrounding area. He also said that it would increase traffic and have a visual impact on the surrounding neighborhoods. Mr. Cosgriff asked all those in the audience who supported the position of the Association to stand and be recognized.

Mr. Melvin Russell, 4600 Tiffin Place, Fairfax, President, Somerset South Homeowners Association, said a survey showed that 84 percent of the homeowners were opposed to the proposed development because it would change the character of neighborhood and was not compatible with surrounding land use. He said while the present cemetery had a minimal impact on the neighborhood, the scale of the proposed development would have negative impact. He also expressed concern about an increase in traffic, inadequate parking, lighting, and said there was some discomfort among neighbors about having a crematory in their neighborhood.

Mr. Peter Everett, 4503 Gilbertson Road, Fairfax, pointed out that Supervisor Sharon Bulova, Braddock District, was opposed to the proposed development, as were a large number of residents in the area. He said it was not compatible with existing development and expressed environmental and traffic concerns.

Mr. Pamela Barrett, 4289 County Squire Lane, Fairfax, Vice President, Hickory Farms Homeowners Association, said the proposed use was a commercial endeavor which had no

place in a residential neighborhood. She also expressed concern about an increase in the number of funerals at that location.

Mr. Howard Guba, 9809 Dansk Court, Fairfax, expressed opposition to the proposed development because it was incompatible with existing residential neighborhoods.

There being no further speakers, Chairman Murphy called upon Mr. Hanes for a rebuttal statement.

Mr. Hanes offered to meet with any citizen or homeowners association who wished to discuss their concerns. He noted that the subject property had been designated as an institutional use in the Comprehensive Plan since 1956 and the former Zoning Ordinance allowed this type of use. He said a similar use had been approved for National Memorial Park in 1995 and explained that buffering would adequately screen the building from residential neighborhoods. Mr. Hanes said that the Zoning Ordinance provisions and the recommendations of the Comprehensive Plan had been met and noted that the application had the favorable recommendation of staff.

In response to a question from Commissioner Koch, Mr. Hanes said that if the application were approved, it was estimated that approximately 400 of the 550 annual funeral processions would be eliminated because services would take place in the chapel. In response to another question from Commissioner Koch, Mr. Hanes said that if this application were not approved by the BZA, the applicant had the option of filing suit in Circuit Court.

Responding to a question from Commissioner Palatiello, Mr. Hanes said that between 11,000-12,000 burial plots had been used to date with approximately 100,000 available plots remaining. Mr. Hanes also responded to questions from Commissioner Harsel about the location of the septic fields, the sanitary sewer easement, the loading dock, the elevation of the building, and the number of employees.

Mr. Hanes responded to questions from Commissioner Downer about the lighting of the building and the estimated number of funeral processions and from Commissioner Kelso about the possibility of a traffic light being installed at Braddock Road and Burke Lake Road.

In response to a question from Commissioner Harsel, Ms. Rodeheaver said the proposed use would increase traffic because people would be coming to the site for viewings.

There being no further comments or questions from the Commission and no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Harsel for action on this application.

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Commissioner Harsel MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BZA DENY SPA-81-A-022-6 BECAUSE IT DOES NOT MEET GENERAL STANDARD

NO. 1, GENERAL STANDARD NO. 2, GENERAL STANDARD NO. 3, GENERAL STANDARD NO. 7, AND FURTHERMORE, IS NOT IN COMPLIANCE WITH THE ZONING ORDINANCE, ARTICLE 20, THE DEFINITIONS, AS I READ THEM TONIGHT.

Commissioners Alcorn and Hall seconded the motion which carried by a vote of 10-1 with Commissioner Koch opposed; Commissioner Wilson absent from the meeting.

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The meeting was adjourned at 12:14 a.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Linda B. Rodeffer

Approved on: April 26, 2001

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission